

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DON ANGELO DAVIS,

Plaintiff,

v.

ROBERT BURTON, Warden,

Defendant.

No. 2:20-cv-1260 WBS DB P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims that his Eighth Amendment rights were violated. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.


On November 29, 2021, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 25.) In response, plaintiff filed a request to dismiss the complaint without prejudice stating he had no objection to the findings and recommendations. (ECF No. 26.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 29, 2021, are adopted in full;
2. This action be dismissed without prejudice.

Dated: January 27, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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